



MEMORANDUM

TO: Public School Superintendents
Charter School Principals

FROM: Pat Mapes, Director of Educator Licensing and Development

DATE: July 13, 2009

SUBJECT: Request for teacher contact data for HEA 1462

The purpose of this memo is to seek teacher contact information so that teachers can be provided communication concerning their qualified immunity under IC 20-33-8-8(b)(3) and rights under IC 4-6-2-1.5.

House Enrolled Act 1462 amended IC 4-6-2-1.5, effective July 1, 2009, which provides:

Sec. 1.5. (a) Whenever any state governmental official or employee, whether elected or appointed, is made a party to a suit, and the attorney general determines that said suit has arisen out of an act which such official or employee in good faith believed to be within the scope of the official's or employee's duties as prescribed by statute or duly adopted regulation, the attorney general shall defend such person throughout such action.

(b) Whenever a teacher (as defined in IC 20-18-2-22) is made a party to a civil suit, and the attorney general determines that the suite has arisen out of an act that the teacher in good faith believed was within the scope of the teacher's duties in enforcing discipline policies developed under IC 20-33-8-12, the attorney general shall defend the teacher throughout the action.

(c) Not later than August 15 of each year:

- (1) the attorney general shall draft; and
- (2) the state superintendent of public instruction shall disseminate in:
 - (A) written;
 - (B) electronic; or
 - (C) other;

form;

a notice to each teacher concerning the teacher's qualified immunity under IC 20-33-8-8(b)(3) and rights under this section.

(d) Whenever a school corporation (as defined in IC 20-26-2-4) is made party to a civil suit and the attorney general determined that the suit has arisen out of an act authorized under IC 20-30-5-0.5 or IC 20-30-5-4.5, the attorney general shall defend the school corporation throughout the action.

(e) A determination by the attorney general under subsection (a), (b), or (d) shall not be admitted as evidence in the trial of any such civil action for damages.

(f) Nothing in this chapter shall be construed to deprive any such person of the person's right to select counsel of the person's own choice at the person's own expense.

For the purposes of this statutory requirement, "teacher" means a professional person whose position in a school corporation requires certain education preparation and licensing, and the definition of "school corporation" includes charter schools.

In order for the attorney general and the state superintendent to meet their duty of notice to each Indiana teacher as required in subsection (c) above, we are asking for your help in obtaining the necessary contact information for all teachers in your corporation and charter school. Attached is an excel spreadsheet indicating the information we need.

Please provide the following information for all certified employees at your schools and school corporation central office. Please provide all requested fields in the comma separated (CSV) formatted template provided. Be sure to put each record on a new line with each field separated by commas.

Definition of fields

CorpNumber – four digit state assigned school corporation identifier

SchoolNumber - four character state assigned school corporation identifier

FirstName – first name of certified employee

MiddleName – middle name of certified employee

LastName – last name of certified employee

Suffix – suffix name of certified employee

StreetAddress – full personal home street address of certified employee

City - personal home city of certified employee

State – two character personal home state of certified employee

ZipCode –personal home zip code of certified employee

WorkEmail – primary email that is used at the place of employment

PersonalEmail – primary personal home accessed email of certified employee

Please enter the requested contact information for all teachers and return the spreadsheet to contacts@doe.in.gov no later than Friday, July 17, 2009.

Should you have questions or need additional information, please feel free to contact Alex Damron at 317-232-6613.